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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,601	02/18/2004	Eric Doyle	16441-US	1021

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EXAMINER	
AUGUSTINE, NICHOLAS	
ART UNIT	**PAPER NUMBER**
2179	

MAIL DATE	DELIVERY MODE
10/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/779,601	DOYLE ET AL.	
	Examiner	Art Unit	
	Nicholas Augustine	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 July 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4,6-9 and 11-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4,6-9 and 11-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 August 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

A. This action is in response to the following communications: Amendment filed 07/25/2007. This action is made **Final**.

B. Claims 1,4,6-9 and 11-14 remain pending.

C. Claim objection to claim 4 is withdrawn.

D. Specification objection is withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,4,6-9 and 11-14 rejected under 35 U.S.C. 102(b) as being anticipated by Boezeman et al. (US 5,758,093), herein referred to as Boezeman.

As for independent claim 1, Boezeman teaches a method of synchronizing preparing a multi-media presentation viewable in a web browser, first and second data streams (figure 10), said first data comprising: preparing a video presentation; preparing an animated slide presentation (figure 5, 124); displaying said video presentation as a video stream of frames along a first time line on a display device (figure 7, 116), said

video stream being scrollable along said first time line (figure 7;wherein indicated are scroll bars in item 107 "video stream segments"); displaying containers on said display device along a second time line alongside said frames of said data video stream (figure 10; column 4, lines 1-14), said containers being mouse draggable along said second time line relative to said first time line (column 7, lines 20,28,37 and 46), and said containers being scrollable along said second time line (figure 7 and column 6, lines 30-36); said containers containing respective slides of said animated slide presentation (column 7, lines 20-26); dragging said containers on said display device along said second time line to align said containers with selected frames in said video stream (column 7, lines 60-67); and generating synchronization markers for said aligned containers relative to said video stream based on the position of said containers relative to said video stream; and outputting said synchronization markers in a synchronization file for controlling the streaming of said slides and said video presentation in said multi-media presentation (figure 7, column 8, lines 5-38).

As for dependent claim 4, Boezeman teaches a method as claimed in claim 1, wherein, said slides include animation events that are displayed as atoms within said containers, said atoms being mouse draggable within said containers, and-said atoms are aligned with selected frames associated with their respective containers to generate synchronization markers for said animation events within said containers, and said synchronization markers for said animation events are included in said synchronization

file (column 7, lines 9-25, figure 15).

As for dependent claim 6, Boezeman teaches a method as claimed in claim 1, wherein said containers interact with each other such that dragging one container along said second time line pushes other containers in front of it along said second time line (column 7, line 45-55; wherein the user can add a video segment anywhere on the time line, if a video segment is already placed on time line its time will be effected by the new segment added).

As for dependent claim 7, Boezeman teaches a method as claimed in claim 1, wherein said synchronization markers are timings relative to a reference point (figure 7).

As for dependent claim 8, Boezeman teaches a method as claimed in claim 7, wherein said reference point is the start of the first data video stream (figure 7).

As for independent claim 9, Boezeman teaches an apparatus for preparing a multi-media presentation viewable in a web browser comprising: *a display device; a first software component for displaying video frames along a first time line on a display device, said video frames being scrollable along said first time line; a second software component for displaying said containers on a second time line alongside said video frames, said containers being mouse draggable along said second time line relative to said first time line, and said containers being scrollable along said second time line; a*

pointer responsive to mouse control for interactively displacing dragging said containers on said display device relative to said video frames to align said containers with selected video frames; and a third software component for generating synchronization markers for said aligned containers relative to said video stream based on the position of said containers relative to said video stream and outputting said synchronization markers in a video file (note the analysis of claim 1 and column8, lines 11-53; figures 7 and 15).

As for dependent claim 11, Boezeman teaches an apparatus as claimed in claim 9, wherein said slides include animation events, and further comprising a fourth software component for displaying atoms corresponding to said animation events said atoms being mouse draggable within said containers, and-said fourth software component generating synchronization markers for said animation events within said slides when said atoms are dragged to positions corresponding to selected frames within their respective containers (figure 15, column7, lines 9-19 and column 8, lines 10-39).

As for dependent claim 12, Boezeman teaches an apparatus as claimed in claim 9, wherein said second software component is programmed such that said containers interact with each other whereby dragging one container along said second time line pushes other containers in front of it along said second time line (note the analysis of

claim 6).

As for dependent claim 13, Boezeman teaches a method as claimed in claim 6, wherein said one container pushes other containers in front of it that have equal time properties to said one container (note the analysis of claim 6 and column 7, lines 60-67 and column 8, lines 1-39).

As for dependent claim 14, Boezeman teaches an apparatus as claimed in claim 12, wherein said one container pushes other containers in front of it that have equal time properties to said one container (note the analysis of claim 13).

(Note:) **It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275, 277 (CCPA 1968)).**

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Response to Arguments

Applicant's arguments with respect to claims 1,4,6-9 and 11-14 have been considered but are moot in view of the new ground(s) of rejection.

Inquires

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056. The examiner can normally be reached on Monday - Friday: 7:30- 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nicholas Augustine
Examiner
AU: 2179

N. Augustine
09/24/2007

BA HUYNH
PRIMARY EXAMINER